

## HAMILTON COUNTY BOARD OF COMMISSIONERS

OCTOBER 22, 2001

The Hamilton County Board of Commissioners met on Monday, October 22, 2001 in the Commissioners Courtroom in the Hamilton County Judicial Center, Noblesville, Indiana. The Commissioners met in Executive Session. President Dillinger called the public meeting to order at 12:45 pm. A quorum was declared present of Commissioner Steven C. Dillinger, Commissioner Sharon R. Clark. Commissioner Steven A. Holt was absent. The Pledge of Allegiance was recited by everyone.

### Executive Session Memorandum:

Clark motioned to approve the Executive Session Memoranda for October 16, 2001 and October 22, 2001. Dillinger seconded. Motion carried unanimously.

### Highway Business: (Tape 1, #212)

#### Highway Engineer of the Year:

Mr. Tom Stevens stated at the Association of Indiana Counties Annual Conference, Les Locke was named the 2001 Outstanding County Highway Engineer.

#### Open Road Cut Permits:

Mr. Les Locke requested approval of an Open Road Cut Permit: 1) P2001672 - Indianapolis Water Company at College Avenue approximately 515' south of CL 108th Street to existing water main to extend water services. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Acceptance of Bonds/Letters of Credit - Highway Department:

Mr. Locke requested acceptance of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B01-019 - National Fire Insurance Company of Hartford Permit Bond #929158604 issued on behalf of The Ellis Corporation in the sum of \$5,000 for the sewer connection at Church of Jesus Christ Latter Day Saints, 10710 Shelborne Road, Carmel, to expire October 11, 2002. 2) HCHD #B01-0140 - United States Fidelity and Guaranty Company Maintenance Bond #400SK5725 issued on behalf of Delello & Sons Asphalt Paving, Inc. in the sum of \$19,856.80 for Vintage Woods Subdivision stone binder and surface to expire September 9, 2004. 3) HCHD #B01-0141 - United States Fidelity and Guaranty Company Performance Bond #400SK6817 issued on behalf of Atlas Excavating, Inc. in the sum of \$2,784,895.22 for Bridge #208 to expire October 16, 2003. 4) HCHD #B01-0142 - United States Fidelity and Guaranty Company Payment Bond #400SK6817 issued on behalf of Atlas Excavating, Inc. in the sum of \$2,784,895.22 for Bridge #208 to expire October 16, 2003. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Release of Bonds/Letters of Credit - Highway Department:

Mr. Locke requested release of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B00-0055 - Ohio Farmers Insurance Company Performance Bond issued on behalf of Shelly & Sands for Resurface Contract 00-3. 2) HCHD #B00-0056 - Ohio Farmers Insurance Company Payment Bond issued on behalf of Shelly & Sands for Resurface Contract 00-3. 3) HCHD #B00-0044 - United States Fidelity and Guaranty Company Performance Bond issued on behalf of E&B Paving, Inc. for Resurface Contract 00-2. 4) HCHD #B00-0043 - United States Fidelity and Guaranty Company Payment Bond issued on behalf of E&B Paving, Inc. for Resurface Contract 00-2. 5) HCHD #B00-0057 - United States Fidelity and Guaranty Company Performance Bond issued on behalf of E&B Paving, Inc. for Resurface Contract 00-4. 6) HCHD #B00-0058 - United States Fidelity and Guaranty Company Payment Bond issued on behalf of E&B Paving, Inc. for Resurface Contract 00-4. 7) HCHD #B00-0036 - United States Fidelity and Guaranty Company Performance Bond #400KG6918 issued on behalf of Milestone Contractors for Resurface Contract 00-1. 8) HCHD #B00-0037 - United States Fidelity and Guaranty

Company Payment Bond #400KG6918 issued on behalf of Milestone Contractors for Resurface Contract 00-1. 9) HCHD #B00-0082 - United States Fidelity and Guaranty Company Performance Bond #400KG7549 issued on behalf of Milestone Contractors for Resurface Contract 00-6. 10) HCHD #B00-0083 - United States Fidelity and Guaranty Company Payment Bond #400KG7549 issued on behalf of Milestone Contractors for Resurface Contract 00-6. 11) HCHD #B01-0083 - Fidelity and Deposit Company Performance Bond #08078347 issued on behalf of Central Engineering/Vintage Development, Inc. in the sum of \$129,404 for street stone & asphalt, street signs and curbs at Vintage Woods. 12) HCHD #B01-0084 - United States Fidelity and Guaranty Company Performance Bond #400KG7200-00 issued on behalf of Grady Brothers, Inc. for Resurface Contract 00-5. 13) HCHD #B01-0085 - United States Fidelity and Guaranty Company Payment Bond #400KG7200-00 issued on behalf of Grady Brothers, Inc. for Resurface Contract 00-5. 14) HCHD #B00-0118 - Liberty Mutual Insurance Permit Bond issued on behalf of Rockford Construction Company, Inc. for Permit P2000627. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Agreements: (Tape 1, #307)

Bridge #141 PSI Utility Agreement:

Mr. Locke requested approval of Utility Agreement HCHD #M-01-0068 with PSI Energy for Bridge #141, River Road over Vestal Ditch. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Small Structure 98-162 Ameritech Utility Agreement:

Mr. Locke requested approval of Utility Agreement HCHD #M-01-0070 with Ameritech for Small Structure 98-162, E. 186th Street over Michaels Ditch. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Bridge #25 Insight Communications Utility Agreement:

Mr. Locke requested approval of Utility Agreement HCHD #M-01-0073 with Insight Communications for Bridge #26, 206th Street over Jones Ditch. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Bridge #168 Supplemental Agreement No. 1:

Mr. Locke requested approval of Supplemental Agreement HCHD #E-01-0002 with Beam, Longest and Neff, L.L.C. for Bridge #168, 116th Street over Mud Creek. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

146th Street Project Supplemental Agreement No. 2:

Mr. Locke requested approval of Supplemental Agreement No. 2 HCHD #E99-0001 for the 146th Project - Springmill Road Segment with Floyd E. Burroughs & Associates, Inc. in the amount of \$78,000.00 for construction inspection. Mr. Locke stated this portion of the project has been delayed substantially. Clark motioned to approve. Clark asked what kind of time does that represent? Mr. Locke stated 4-5 months of work. The inspectors are paid hourly. Dillinger seconded. Motion carried unanimously.

Bridge #175 Supplemental Agreement No. 2:

Mr. Locke requested approval of Supplemental Agreement No. 2 HCHD #E99-0008 for Bridge #175, 146th Street over Mud Creek with AECON, Inc. Dillinger motioned to approve. Clark seconded. Motion carried unanimously.

County Bridges Supplemental Agreement No. 2:

Mr. Locke requested approval of Supplemental Agreement No. 2 HCHD #E01-0018 for Bridges #2, Jerkwater Road over Pearce Ditch, Bridge #12, Horton Road over Prairie Creek, Bridge #49, Anthony

Road over Little Cicero Creek, Bridge #53, Cal Carson Road over Little Cicero Creek and Bridge #72, 266th Street over Cicero Creek with Paul I. Cripe, Inc. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Small Structure on 96th Street:

Mr. Locke stated the structure on 96th Street between Ditch Road and Springmill reopened for traffic approximately 34 days early.

Acceptance of Streets:

Village of West Clay, Section 8501:

Mr. Locke requested acceptance of streets for Village of West Clay, section 8501. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Vintage Woods Subdivision:

Mr. Locke requested acceptance of streets for the Vintage Woods Subdivision. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Concurrence with Traffic Study Correspondence:

Mr. Locke requested concurrence with correspondence concerning investigations of requests for signage on Hamilton County Roads. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Regulatory Signs:

Village of West Clay, Section 8501:

Mr. Locke requested approval of installation of regulatory signs in Village of West Clay, Section 8501. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Vintage Woods Subdivision:

Mr. Locke requested approval of installation of regulatory signs in the Vintage Woods Subdivision. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

111th Street Regulatory Signs:

Mr. Locke requested approval of installation of regulatory signs on 111th Street East of Hoosier Road and Geist Road north of 106th Street in Fall Creek Township. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Request to Advertise:

Mr. Locke requested permission to advertise for Bridge Rehabilitations in various locations. Bridges #2, 12, 49, 53, 72 & 179. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Dedication of Public Right-of-Way - Personn-Davis, Inc.:

Mr. Locke requested acceptance of dedication of public right-of-way from Personn-Davis, Inc. on Mill Creek north of SR 32. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Traffic Counts:

Clark thanked Mr. Locke for getting the updated traffic counts to the Commissioners.

Commissioner Committee Reports: (Tape 1, #697)

#### Auditor=s Office and Treasurer=s Office Retrofits:

Clark stated she met with Sally Wilson and Robin Mills regarding the retrofits of their offices. We did come to an agreement. Clark asked for approval of the Treasurer=s request to build her counter as she has requested. County Council has appropriated the money for the counter. Dillinger asked what is the cost? Clark stated \$9,972.00. Clark stated this needs to be done so the Auditor can get more room for the Exemptions Department. Clark motioned to tell the Treasurer to move forward with changes in her office. Dillinger seconded. Motion carried unanimously. Clark asked to be notified when the move will take place so she can come in and help. The Treasurer will start her office after Thanksgiving.

#### Board of Commissioners Chain of Command:

Clark motioned to set a chain of command, for emergency purposes, for the Board of Commissioners if the President is out of town the Vice President would make the decisions and if both the President and Vice President are out of town the third member of the Board would make the decisions. Dillinger seconded. Motion carried unanimously.

#### Treasurer=s Office:

Mr. Swift stated the Treasurer has requested an 8' table that was taken from her office returned. Mr. Warner has said this table will not fit. Mr. Swift stated Mr. Warner highly recommends against moving the antique safe because of it=s weight, the historic aspects, the question of where it would go and moving it may damage the ceramic floor. Clark will continue to work on the safe and table issues.

#### Precinct Changes:

Ms. Kathy Richardson, Voter Registration, requested approval of the Precinct Changes for Hamilton County. There were 46 changes, 15 new precincts, 2 precincts eliminated and re-certified 146 precincts. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Voter Registration Cards Scanning Contract:

Ms. Kathy Richardson requested approval and signature on a contract with Image Technology Corporation for scanning of the voter registration cards. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Administrative Assistant: (Tape 1, #1123)

#### Appointments:

#### Community Corrections Advisory Board Appointment:

Mr. Fred Swift stated Grace Ketchum has resigned from the Community Corrections Advisory Board. Mr. Ralph Watson has recommended Mr. Kelly Kochel to fill out Ms. Ketchum=s term. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Riverview Hospital Board of Trustees:

Mr. Swift asked if the Commissioners had found an appointment for the Riverview Hospital Board of Trustees? Clark asked Dillinger if he was interested in appointing Susan Salisbury? Dillinger stated he has two concerns, one she is currently working at another hospital and what relationship does she have with Riverview Hospital as a community hospital? Dillinger stated they will wait.

#### Visitor and Convention Commission Appointment:

Clark motioned to appoint Richard Haeick to the Hamilton County Visitor and Convention Commission.

Dillinger seconded. Motion carried unanimously.

#### Noblesville Schools Wage Determination Board Appointment:

Clark motioned to appoint Kevin Brinegar to the Noblesville Schools Wage Determination Board. Dillinger seconded. Motion carried unanimously.

Dillinger called a recess in the Board of Commissioners meeting. (Tape 1, #1278)

#### Board of Finance:

Board of Finance Vice President Clark called the Hamilton County Board of Finance to order. A quorum was declared present of Commissioner Steven C. Dillinger, Commissioner Sharon R. Clark and Treasurer Sally Wilson. Commissioner Steven A. Holt was absent. Ms. Wilson presented the Quarterly Investment Report dated October 22, 2001. Dillinger motioned to adjourn the Board of Finance meeting. Clark seconded. Motion carried unanimously.

Dillinger called the Board of Commissioners meeting back to order. (Tape 1, #1431)

#### Treasurer=s Office Hours:

Ms. Wilson requested permission to allow the Treasurer=s Office to be open Saturday, November 3 and November 10 from 8:00 am to 12:00 noon for collection of tax payments only. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Treasurer=s Office Retrofit:

Clark told Ms. Wilson that it was determined the Commissioners concur with her request for her office retrofit. Clark stated the table and safe issues have not been decided. Clark stated she is free to start her work the end of November. Ms. Mills will start her changes this week.

#### SBC Capital Services Lease Agreement:

Ms. BJ Casali requested approval of a lease agreement with SBC Capital Services for the equipment for the T1 lines for the township assessors. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Clerk of the Circuit Court Late Payment Fee Ordinance:

Ms. Kathy Richardson, representing Tammy Baitz, has requested the Commissioners direct Mike Howard, County Attorney, to prepare an ordinance that would give the Clerk 100% of the \$25.00 late payment fee which would be used for the preservation of records. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Auditor: (Tape 1, #1625)

#### Release of Bonds/Letters of Credit - Drainage Board:

Ms. Dawn Coverdale requested release of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-B970019 - Frontier Insurance Company Subdivision Bond No. 11625 for Kingsley Section 1 for storm sewers and subsurface drains in the amount of \$160,772.00. 2) HCDB-B970020 - Frontier Insurance Company Subdivision Bond No. 116252 for Kingsley Section 1 for erosion control in the amount of \$18,255.00. 3) HCDB-L00-007 - Fifth Third Bank Standby Letter of Credit No. SB12161 for Hazel Dell Woods Section 1 for off-site storm drainage in the amount of \$124,000.00. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Clerk of the Circuit Court Monthly Report:

Ms. Coverdale requested acceptance of the Clerk of the Circuit Court Monthly Report for September 2001. Clark motioned to accept. Dillinger seconded. Motion carried unanimously.

#### Returned Check Reimbursement - 4-H Extension Office:

Ms. Coverdale stated the 4-H Extension Office received a bad check for a damage deposit on a room rental. Ms. Coverdale requested approval for the county to reimburse the Extension Office for the bad check and then we will turn it over to the Prosecutor's Office to try to recover the money. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Payroll Claims:

Ms. Coverdale requested approval of the Payroll Claims for the period of September 29, 2001 to October 13, 2001 to be paid October 26, 2001. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Vendor Claims:

Ms. Coverdale requested approval of Vendor Claims for this period. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Agenda:

Dillinger asked that the people coming in to see them be moved up on the agenda, so if we are running ahead of schedule we are not waiting for them. Discussion of the agenda followed.

Dillinger called a break. Dillinger called the meeting back to order.

#### Unsafe Houses: (Tape 1, #2109)

Mr. Chuck Kiphart presented a status report on unsafe buildings. The home on Buena Vista remains secured, the car has been removed. The home of Mary Ellen Smith on Lantern Road is being pursued through the courts by Mike Howard. The McMillan home on Hillsdale in Clay Township is being worked on by the owner. Progress is being made. The final home is Mrs. Clark, south of Arcadia, she has complied with all of our specific requests. Mr. Kiphart will continue to check on this home.

#### Attorney: (Tape 1, #2353)

#### Initial Security Contract:

Mr. Michael Howard stated it has been discussed to enter into a contract with Initial Security for additional security personnel for the Judicial Center. There will be four men being paid \$14.00 per hour with no payment of overtime. Our contract would have a 30 day cancellation provision for either party. That contractual service can begin next Monday. Mr. Howard recommended that the Commissioners transfer \$11,200.00 from Line Item 3816 to 3713 and instruct the Auditor to seek an additional appropriation in an amount that would be adequate to reimburse that fund and to make weekly payments of approximately \$2,800.00 thru the balance of the year and at least 90 days in to 2002. Mr. Howard also requested the motion to include the President be allowed to execute that contract on behalf of the Board. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Drainage Board Promissory Note:

Mr. Howard stated the Drainage Board has passed a Promissory Note in an amount not to exceed \$100,000.00 to fund the Thistlewaite Drain. This will be reimbursed by the Town of Sheridan. Clark

motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Ordinance 10-22-01-A, Late Payment Fees of County Clerk:

Mr. Howard presented Ordinance 10-22-01-A, Providing for Late Payment Fees of the Hamilton County Clerk for approval. Clark motioned to suspend the rules. Dillinger seconded. Motion carried unanimously. Clark motioned to approve Ordinance 10-22-01-A. Dillinger seconded. Motion carried unanimously.

#### Clay Regional Waste District 131st Street Agreement:

Mr. Howard requested approval of an agreement between Hamilton County and the Clay Regional Waste District concerning acquisition of right-of-way along 131st Street for sewer easements. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Resolution 10-22-01-1:

Mr. Howard requested approval for Resolution 10-22-01-1 concerning the expansion of the Parkwood Economic Development Area by the Carmel Redevelopment Commission. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Liability Trust Claim:

Mr. Howard requested approval of a Liability Trust Claim payable to Michael A. Howard in the amount of \$1,875.00. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

#### Diversity Taskforce:

Mr. David Lewis, 12234 Ridgeside Road, Indianapolis, Chairperson of the Hamilton County Diversity Taskforce stated in the fall of 1999 the Board of Commissioners made a request from the Lily Endowment for \$100,000.00. The Commissioners received the grant and appointed a Taskforce. The goal of the Taskforce was to look at the feasibility of diversity services for Hamilton County. Mr. Lewis presented the final report of the Taskforce. This report does not say what we should do. The next step would be for the Commissioners to receive the report and the Commissioners to send a letter back to Lily Endowment thanking them for the money and giving them a copy of the report. Ms. Megan Wiles has drafted a letter for signature. Mr. Lewis stated on November 14th from 8:00 am to 10:00 am at the Legacy offices and Community Life and Learning Center in Carmel, we will be bringing in an outside facilitator and we will invite all the elected officials in Hamilton County, the Chambers, religious groups to discuss what this report says and discuss what we should do or not do. Ms. Megan Wiles stated we need an acceptance of this report by the Commissioners. She will prepare the letter for signatures to be sent to Lily Endowment. Clark motioned to accept the report. Dillinger seconded. Clark commended the Taskforce for their work. Motion carried unanimously.

Clark motioned to adjourn the meeting. Dillinger seconded. Motion carried unanimously.

#### Commissioners Correspondence

Beam Longest & Neff Notice of Transmittal

Claim Voucher & Invoice HCHD #PB-99-0015 Culvert Plans

Claim Voucher & Invoice Br. #17, 246th Street over Teter Branch Little Cicero Creek

Supplemental Agreement Bridge #168, 116th Street over Mud Creek

IDEM Approval of Operating Permit

Marble House Inc.

IDEM Sanitary Sewer Permit Application

Countryside Section 5B, Westfield

Carrigan at The Levee, Noblesville

INDOT Public Hearing Notice - Northeast Corridor

INDOT Greenfield District Upcoming Projects Listing

Certificate of Insurance

Siemens Corporation

Present

Steven C. Dillinger, Commissioner

BJ Casali, ISSD

Sharon R. Clark, Commissioner  
Indianapolis Star

Kathy Kightliner,

Dawn Coverdale, Chief Deputy Auditor

Wayne Farley, Sheriff

Kim Rauch, Executive Secretary to Auditor  
Legacy Fund

Megan Wiles,

Fred Swift, Administrative Assistant to Commissioners  
Commission

Chuck Kiphart, Plan

Michael A. Howard, Attorney  
Voter Registration

Kathy Richardson,

Tom K. Stevens, Highway Director  
Diversity Taskforce

David Lewis,

Les Locke, Highway Engineer

APPROVED

Amy Rayle, Highway Public Service Representative  
OF COMMISSIONERS

HAMILTON COUNTY BOARD

Virgina Hughes, Administrative Assistant to Highway Engineer

Dave Lucas, Highway Inspector

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Christopher Burt, Highway Staff Engineer

Tim Knapp, Highway Right-of-Way Specialist

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Matt Morasch, Transportation Development Engineer

Matt Knight, Highway Staff Engineer

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Dustin Teachnor, Highway Assets Manager

Faraz Hahn, Highway Department



Kate Lewis, Ledger

Sally Wilson, Treasurer

Mark A. Newbold, E.D.I.S. Inc.

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Chrissy Farris, Humane Society

Cindy Ramsey, Humane Society

ATTEST:

Robin M. Mills, Auditor